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16 June 1955

1978 Legal

File
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MEMORANDUM FOR: Mr. Lawrence R. Houston

SUBJECT : Trip to Mediterranean and Europe

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1. A situation arose in [] last January which was embarrassing to the United States and this Agency, and which it appeared might endanger the security of our operations there. An employee of the Station injured a [] in a night club altercation and the officer subsequently died. The employee was arrested and charged with manslaughter. He had been working in a particularly sensitive program and investigation and publicity were highly undesirable. It appeared that the case might be disposed of quickly in the courts if a guilty plea were made. This procedure seemed attractive from the standpoint of security and publicity. However, the cognizant officials at Headquarters were anxious that the rights and interests of the employee be justly protected, and concerned lest the Agency be put in a position where it might appear that the employee had pled guilty for our convenience. The undersigned conferred with the Director of

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2. A thorough review of the case indicated that the accused had little to gain by pleading guilty. The [] Government had made no assurances as to the disposition of the case in the event of a guilty plea except that it would be expeditious. It was found that the case could be sent to a lower court even in the event of a "not guilty" plea. The best known surgeon [] indicated his willingness to testify that, on the basis of the medical history of this case, it was exceedingly unlikely that the blow struck by the accused was the principal cause of death. This was based on the fact that the symptoms of the deceased were not of great severity. He appeared to recover but was taken ill several days later and died almost a week after the night of the altercation. There had already been considerable newspaper publicity and it appeared that a normal trial would not be dangerous from this standpoint. The employee had retained competent counsel to represent him. He was advised by the undersigned

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and by the Chief of Station that he should make his own decision as to his plea. Upon the advice of his counsel he pled "not guilty."

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3. The case was tried on 3 June in the District Court in [redacted] The accused was found guilty, and paid a fine of one-hundred pounds. He left [redacted] immediately, and has since been terminated and processed out at Headquarters. Upon the advice of his counsel, he is filing an appeal on the ground that the evidence at the trial was not sufficient to establish his guilt beyond a reasonable doubt. In accordance with the wishes of the Director, appropriate messages of appreciation are being conveyed to

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[redacted]
the secure and fair manner in which the case was handled. This is being attended to by the Office of Communications.

4. In this case it was very important that an attorney representing the Agency be present on the scene to coordinate and supervise matters. Unfortunately, legal cases take time to conclude. The General Counsel's Office should be staffed in such a way that it can provide attorneys for indefinite periods of time to handle overseas cases such as this.

5. It was agreed with the various Division Chiefs that the undersigned would attempt to visit their principal Stations on this trip to provide assistance and advice on legal and tax matters and on certain specific projects. The Stations were so advised and arranged interview schedules when the undersigned arrived. The most important subject covered was the institution and operation of the new Covert Tax Unit. The details of this Unit were clarified in the minds of Station and Agent personnel. Certain specific matters which were too complicated or involved with emotion to be effectively handled by cable or dispatch were discussed with the individuals concerned. It was found that the morale of some Agents was being affected by uncertainties as to tax and legal matters affecting them.

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7. Legal assistance was given [redacted] on two rather urgent cases which arose during this trip. One involved an agent in jail charged with doing grievous bodily harm with a weapon; the other involved a threat of libel suit against the publisher of a book

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produced under one of our projects. Both cases are being followed up with the responsible officials at Headquarters. The legal details of funding two publication projects were worked out with the case officers [] and subsequently here at Headquarters.

8. Various projects which the undersigned has worked on at Headquarters were discussed with the case officers overseas, and a great variety of legal questions were raised by the Stations. The trip was concluded by arrival in Washington on 5 June.

9. It appears that an attorney from the Office of the General Counsel should visit the major Stations periodically, and other Stations as the need arises.

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[]

Assistant General Counsel

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